IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPEAL NO. 66 OF 2005

JOHN FERNANDES,VASCO DA GAMA ... Appellant
Versus
THE GOA TIMES AND 2 ORS., ... Respondents

Shri Nitin Sardesai, Advocate for the Appellant.
Mr. T. Pereira, Advocate for the Respondent Nos. 1 to 3.
Mr. C. A. Ferreira, Public Prosecutor for the State/Respondent No.4.

Coram:- N. A. BRITTO, J.

Date:- 9th August, 2007

P.C.:-

Learned Counsel on behalf of both the parties present. Learned Counsel on behalf of both the parties have filed an application duly signed by them. The same be placed on record. Learned Counsel on behalf of both the parties state that Respondent No.3 has published a clarification on the daily "Goa Times" dated 7-8-2007 that the Appellant John Fernandes is not connected in any manner with the events reported in the impugned news items. In the light of that, the Appellant seeks leave to withdraw the present appeal without prejudice to pursue his claim in Special Civil Suit No.42 of 2001 and the right of the Respondents to defend the same Civil Suit. In view of the above, the appeal is allowed to be withdrawn with leave as prayed for. Dismissed as withdrawn. Needless to state this withdrawal will not come in the way of the said Special Civil Suit No.42 of 2001.

N. A. BRITTO, J.

RD.